

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MARTHA VELASQUEZ,

Plaintiff,

vs.

S.B. RESTAURANT CO.,

Defendant.

Case No. 2:10-cv-00140-GMN-PAL

ORDER

(Mot Compel - Dkt. #51)
 (Countermot for Prot Ord - Dkt. #52)

Before the court is Plaintiff's Emergency Motion to Compel Depositions of Denise Raposa, Defendant's Person Most Knowledgeable and Ruben Guevara (Dkt. #51). The court has considered the motion and Defendant's Opposition and Emergency Motion for Protective Order (Dkt. #52).

The parties have been unable to agree on the date, time and location of four depositions resulting in Plaintiff's emergency motion to compel and Defendant's opposition and emergency motion for protective order. Plaintiff seeks an order from this court requiring Defendant to appear in Las Vegas for depositions of Ruben Guevara on May 15, 2012, Denise Raposa on either May 11, 12, 24 or 25, 2012, and Defendant's Rule 30(b)(6) designee on May 11, 12, 24 or 25, 2012. Defendant opposes the motion and seeks a protective order that the deposition of Ruben Guevara proceed on May 16, 2012, in Las Vegas, Nevada following the May 15, 2012, deposition of the Plaintiff, and that the deposition of Denise Raposa individually and in her capacity as the Defendant's Rule 30(b)(6) designee take place on May 24, 2012, in Irvine, California, followed by the deposition of Marilyn Wineman on the remaining Rule 30(b)(6) topics.

The motion, opposition and countermotion are supported by affidavits of counsel and more than 150 pages of exhibits documenting the parties' unsuccessful efforts to arrive at mutually agreeable dates, times and locations of these four depositions. The motion was filed as an emergency motion

1 because the court has already granted a 90-day extension of the discovery plan and scheduling order
2 deadlines, and the extended discovery cutoff expires July 3, 2012.

3 Having reviewed and considered the matter,

4 **IT IS ORDERED** that:

5 1. Plaintiff's Emergency Motion to Compel (Dkt. #51) is **GRANTED in part** and
6 **DENIED in part** as follows:

7 a. The deposition of the Plaintiff shall be taken in Las Vegas, Nevada, on May 15,
8 2011.

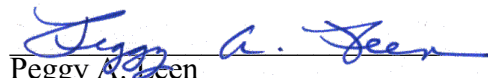
9 b. The deposition of Ruben Guevara shall take place in Las Vegas, Nevada on May
10 16, 2012, in Las Vegas, Nevada.

11 c. The deposition of Denise Raposa in her individual capacity and as the
12 Defendant's Rule 30(b)(6) designee shall take place in Irvine, California, on May
13 24, 2011.

14 d. The deposition of Marilyn Wineman whom Defendant's counsel has designated
15 as its Rule 30(b)(6) designee on topics Ms. Raposa cannot address, shall take
16 place on May 25, 2011, in Irvine, California.

17 2. Defendant's emergency motion for Protective Order (Dkt. #52) is **GRANTED in part**
18 and **DENIED in part** consistent with the provisions of Paragraph 1 of this order.

19 Dated this 11th day of May, 2012.

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22 Peggy A. Green
United States Magistrate Judge
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